

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

NEW ENGLAND CARPENTERS HEALTH  
BENEFITS FUND, PIRELLI ARMSTRONG  
RETIREE MEDICAL BENEFITS TRUST;  
TEAMSTERS HEALTH & WELFARE FUND  
OF PHILADELPHIA AND VICINITY;  
PHILADELPHIA FEDERATION OF  
TEACHERS HEALTH AND WELFARE  
FUND; DISTRICT COUNCIL 37, AFSCME -  
HEALTH & SECURITY PLAN; JUNE  
SWAN; BERNARD GORTER, SHELLY  
CAMPBELL and CONSTANCE JORDAN

Plaintiffs,

v.

FIRST DATABANK, INC., a Missouri  
corporation; and McKESSON  
CORPORATION, a Delaware corporation,

Defendants.

C.A. No. 1:05-CV-11148-PBS

**PLAINTIFFS' AND DEFENDANT FIRST DATABANK, INC.'S JOINT MOTION FOR  
AN ORDER GRANTING PRELIMINARY APPROVAL OF PROPOSED AMENDED  
SETTLEMENT AGREEMENT, APPROVING JOINT NOTICE PROGRAM, AND  
SCHEDULING A FINAL FAIRNESS HEARING**

Plaintiffs and Defendant First DataBank, Inc, ("FDB") move this Court to preliminarily approve the Amendment Settlement agreement: (ii) set a schedule for the approval of a joint notice program; and (iii) schedule a final fairness hearing. In further support, we submit the following documents:

1. Plaintiffs' Memorandum of Law in Support of Joint Motion for an Order Granting Preliminary Approval of Proposed Amended Settlement Agreement, Approving Joint Notice Program; and Scheduling a Final Fairness Hearing;
2. Final Order and Judgment Certifying the Class for Purposes of Settlement, Approving of Class Action Settlement, and Dismissing the Action with Prejudice; and;
3. Amendments to Settlement Agreement and Release.

Dated: March 19, 2008

By



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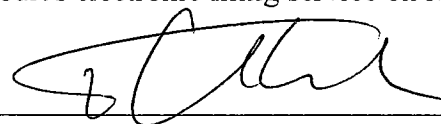
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**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above document was served upon the attorneys of record for each other party through the Court's electronic filing service on March 19, 2008.

  
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Thomas M. Sobol